

REMARKS

Claims 1, 2, 4-32, and 35-41 were pending in the application. Of these, claims 5-9, 19, 20, 29-32 and 35-36 have previously been withdrawn from consideration pending the allowance of a generic base claim. By the office action of September 28, 2007 ("the Office Action"), claims 1, 2, 4, 10-18, 22-25, 27, 28 and 37-41 have been rejected. Claims 21 and 26 have been objected. By the above amendments, claim 40 has been canceled, and claims 1, 22, 37-38 and 41 have been amended. Claims 1, 2, 4-32, 35-39 and 41 remain pending in the application. Claims 1, 2, 4, 10-18, 21-28, 37-39 and 41 are presented for examination.

Statement of Substance of Interview with the Examiner

On October 11, 2007 a telephonic interview was conducted between Patent Examiner Tan Lee and Ronald Shea, Attorney for Applicant. Discussion was directed to the language of claim 1, and to the Examiner's basis for rejection of Claim 1 on page 3, lines 6-7 of the Sept. 28, 2007 Office Action. No agreement was reached

Claim Rejections under 35 U.S.C. § 103:

Claims 1-2, 4, 10-11, 13-18 and 22-25 and 37-41 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over GB Patent No. 2, 253, 998 to Lurie et al. (hereinafter "Lurie") in view of Japanese patent and JP 10-113275 to Omura (hereinafter "Omura"). Applicant respectfully disagrees with the reasons for this objection.

Omura is directed to a purse hanger including a rigid arm ("iron bar," element 3) having a proximal end coupled with a rigid interface member (the "support backing," 1) by means of a "pivot" 5 including a "bearing, ball shaft" 2, and a distal end coupled with a link 7. A flexible member ("connection tool" 6) includes a proximal end coupled with the link and a distal end coupled with a "ring loop 8" configured to attach to a purse strap. The rigid arm free of Omura is straight, exhibiting no curvature. A stopper 4 is formed on the proximal end of the rigid arm adjacent the pivot. The stopper is positioned to engage the rigid interface member during a pivot process, thereby limiting the pivot range of the iron bar to 90 degrees.

In operation, gravity will cause the rigid arm of Omura to pivot exactly to a vertical orientation. The rigid arm is positioned adjacent to the edge of a table or supporting other member. Because the rigid arm is straight, the tensile axis of force extending through the rigid arm from the link 7 to the pivot 5 can not pass through the support backing on the tabletop, and will necessarily be oriented adjacent the edge of the tabletop. The flexible member 6 will also orient itself along this axis as a result of gravity.

Lurie is also directed to a purse hanger. Figures 1, 2 and 6 of Lurie disclose a purse hanger including a "housing 12" resting on a table, and an "elongated shaft 13" extending from the housing outward parallel to the counter or table top, and then bending downward to form a "support arm 14" (Lurie, page 6). To prevent the purse from sliding off the tip, the "Support arm 14 is deflected upwardly into a hook 15 upon which handbag 11 is hung" (Lurie, page 6).

Independent Claim 1 recites, in part:

a rigid arm with a proximal segment terminating at a proximal end, a distal segment terminating at a distal end, and a central extension disposed between a proximal segment and a distal segment, wherein the proximal end is coupled with the rigid interface member, the proximal segment being in a orientation substantially parallel to the planar interface area and curving into the central extension, and wherein the central extension curves into the distal segment which extends vertically downward from the central extension when the distal end is positioned vertically beneath the planar interface area; and,

Although Applicant has amended independent claims 1, 22 and 37 to state with greater clarity the nature of the invention, applicant disagrees with the fundamental reasons for the rejection of claim 1.

Within the Office Action, it was suggested that Lurie included element, ***"wherein the distal end extends downward from the central extension when the distal end is positioned vertically beneath the planar interface area"*** according to the following reason: "Note that the distal end in this case, the examiner considers as a hook segment (V-shaped) 23, 15 upon which a handbag, purse or the like can be supported or

secured. Notwithstanding how the Examiner wishes to consider the words of Independent claim 1, Merriam-Webster's Collegiate Dictionary, Tenth Edition, Copyright 2000, Springfield Mass. (hereinafter "Merriam-Webster") defines "distal" as "situated away from the point of attachment or origin of a central point, esp. of the body" (p. 336). Merriam Webster further defines "end" as "a point that marks the extent of something," and "the point where something ceases to exist," (p. 380). In view of the foregoing definitions:

- 1) Under no construction of the English language can the V-shaped element of the rigid arm of the Lurie purse hanger be defined as the "distal end".
- 2) As defined both by the dictionary, and by any reasonable definition, the distal end ("the point where something ceases to exist,") of the rigid arm of Lurie is the portion of the arm pointing at an upward angle after the V-shaped bend.
- 3) At the V-shaped bend of the rigid arm of Lurie, the rigid wire transitions from a direction slanting downward to a horizontal orientation to an upward slant. Accordingly, the orientation of the rigid arm of Lurie at the point of the V-shape is exactly horizontal. Under no construction of the English language can a horizontal section be regarded as vertical. From the beginning of the V-shaped segment to the distal end of the rigid arm of the Lurie purse hanger, there is not a single point wherein the rigid arm of Lurie passes through a vertical orientation from the V-shaped bend and the distal segment that points at an upward angle.

Moreover, as amended, independent Claim 1 clarifies that the entire distal segment curves from the central extension into a vertically downward direction, and has a vertical segment disposed vertically beneath the planar interface area when the distal end is disposed beneath the planar interface area, and further clarifies that the distal end at the tip of the distal segment is disposed vertically beneath the planar interface surface. As can be noted in Fig. 2 of Lurie, the distal end of Lurie protrudes out beyond the planar interface surface.

Accordingly:

Neither Lurie nor Omura disclose or suggest wherein the central extension curves downward to form the distal segment that extends vertically downward.

Neither Lurie nor Omura disclose or suggest an apparatus wherein the distal end is, or even can be positioned vertically beneath the planar interface area. Therefore, even if

Omura and Lurie could somehow be combined in a manner suggested by the Examiner, their combination still would not disclose or suggest every element of claim 1, and therefore, would not establish a prima facie case for obviousness. For at least these reasons, independent Claim 1, and claims 2, 4, 10-11, 13-18 which depend therefrom, stand allowable over Omura, Lurie, and their combination.

Independent claim 22 recites, in part,

a rigid arm with a proximal segment terminating at a proximal end, a distal segment terminating at a distal end, and a central extension extending from a the proximal segment through a first bend, and extending into the distal segment through a second bend, the central extension being oriented, at least in part, in a direction different from the proximal segment, and in a direction different from the distal segment, the proximal end being coupled to said rigid interface member, wherein the rigid arm is configured to position the distal segment in a vertical orientation that is vertically aligned beneath the rigid interface member when the rigid interface member is disposed on the horizontal surface.

Neither Lurie nor Omura disclose or suggest a central extension extending into a distal segment through a second bend. Neither Lurie nor Omura disclose or suggest wherein the rigid arm is configured to position the distal segment in a vertical orientation that is vertically aligned beneath the rigid interface member. Therefore, even if Omura and Lurie could somehow be combined in a manner suggested by the Examiner, their combination still would not disclose or suggest every element of claim 1, and therefore, would not establish a prima facie case for obviousness. For at least these reasons, independent Claim 22, and claims 23-25 which depend therefrom, stand allowable over Omura, Lurie, and their combination.claim.

Independent Claim 37 recites, in part,

a bent rigid arm with a proximal segment terminating at a proximal end, and a distal segment terminating at a distal end, wherein the proximal segment is coupled to said interface member in an orientation substantially parallel to the planar interface area, the rigid arm being configured such that the distal segment is aligned in a vertical orientation vertically beneath the planar interface area when the planar interface area is horizontal, and wherein the distal end comprises a securement member

Applicant submits that, for at least the reasons stated in conjunction with claim 1, claim 22 is not rendered obvious by Lurie, Omura, or their combination, and stands in condition for allowance. For at least these reasons, independent Claim 37, and claims 38-41 which depend therefrom, stand allowable over Omura, Lurie, and their combination.

Claims 12 and 27-28 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Lurie in view of Omura further in view of United States patent publication number 2004/0195484 to Sheeran (hereinafter "Sheeran"). Sheeran is directed to an accessory hanger for hanging handbags, umbrellas, etc. (Sheeran, Abstract). The hanger includes a support base 10 and an arm 20. The arm has a first end 21 coupled to the support base. The arm curves downward at a first "angular end 23" and upward at a "second angular end 24." By this design, *"the second end 22 of the arm 20 is angled in an upward position."* (Sheeran, paragraph 0039 and Fig. 1).

In contrast to the Sheeran disclosure, claim 12 depends from independent Claim 1, and therefore includes the limitation:

a rigid arm with a proximal segment terminating at a proximal end, a distal segment terminating at a distal end, and a central extension disposed between a proximal segment and a distal segment, wherein the proximal end is coupled with the rigid interface member, the proximal segment being in a orientation substantially parallel to the planar interface area and curving into the central extension, and wherein the central extension curves into the distal segment which extends vertically downward from the central extension when the distal end is positioned vertically beneath the planar interface area; and,

As discussed above in conjunction with Claim 1, neither Lurie nor Omura disclose or suggest this limitation, and applicant respectfully submits that Sheeran does not disclose or suggest this limitation either. Because the second end of the Sheeran arm is "angled in an upward position," whereas the above claim element recites a rigid arm with a distal end that extends downward from the central extension, Sheeran, in fact, teaches the very opposite of the above recited claim element. Therefore, even if Omura, Lurie and Sheeran could somehow be combined in a manner suggested by the Examiner, their combination still would

not disclose or suggest the above limitation, and therefore, would not establish a prima facie case for obviousness. For at least these reasons, claim 12 is not obvious over Lurie in view of Omura, further in view of Sheeran.

Claims 27 and 28 depend from claim 22, and therefore include the limitation:

a rigid arm with a proximal segment terminating at a proximal end, a distal segment terminating at a distal end, and a central extension extending from a the proximal segment through a first bend, and extending into the distal segment through a second bend, the central extension being oriented, at least in part, in a direction different from the proximal segment, and in a direction different from the distal segment, the proximal end being coupled to said rigid interface member, wherein the rigid arm is configured to position the distal segment in a vertical orientation that is vertically aligned beneath the rigid interface member.

As discussed above in conjunction with claim 12, the second end of the Sheeran arm is "angled in an upward position," whereas the above claim element recites a rigid arm with a distal end that extends downward from the central extension. Therefore, Sheeran does not teach or suggest the limitation of ***"a rigid arm . . . wherein the rigid arm is configured to position the distal segment in a vertical orientation that is vertically aligned beneath the rigid interface member."*** As also noted above, Lurie nor Omura do not disclose or suggest this limitation either. Therefore, even if Omura, Lurie and Sheeran could somehow be combined in a manner suggested by the Examiner, their combination still would not disclose or suggest the above limitation, and therefore, would not establish a prima facie case for obviousness. For at least these reasons, claims 27 and 28 are not obvious over Lurie in view of Omura, further in view of Sheeran.

Claim Objections

Claims 21 and 26 have been objected to as being dependent upon a rejected based claim, but have been deemed allowable if we written an independent form, including the limitations of the base claim and any intervening claims. In view of the foregoing comments, applicant respectfully declines to rewrite the referenced claims an independent form at this time.

Conclusion

Applicant submits that all pending claims are in condition for allowance. If a telephone interview would be helpful in any way, the examiner is invited to call the applicant at the phone number listed below.

Respectfully submitted

Dated: October 11, 2007

By: /Ronald R. Shea/

Ronald R. Shea, Reg. No. 45,098
(408) 499-9741